

REMARKS

The present Amendment is responsive to the Official Action mailed November 6, 2009, and is timely filed within the three-month shortened statutory period for filing a response, February 6 and 7, 2010 being a Saturday and a Sunday, respectively, and the United States Patent and Trademark Office being closed due to inclement weather on Monday, February 8, 2010. In view of the amendments and remarks made herein, reconsideration of the Examiner's rejections and allowance of all pending claims are respectfully requested.

Claims 1-5 were pending in the application at the time of the Action. Of such claims, only claim 1 is independent. Each of claims 1-5 were rejected. Claims 1, 4, and 5 are herein amended. Claims 2 and 3 are canceled. Claims 6-9 are added. No new matter is added by way of the present amendments.

In the Action, the Examiner rejected claims 1-5 under 35 U.S.C. § 102(b) as being anticipated by U.S. Pat. No. 5,230,487 to Gartelmann ("the '487 patent"). In this rejection, the Examiner asserted that the '487 patent discloses all of the limitations recited in claims 1-5. However, Applicants respectfully submit claims 1, 4, and 5, as amended, are not anticipated by the '487 patent.

The pending claims are directed to a landing flap guide having gliding contacts which are configured to absorb the aerodynamic and gravitational forces commonly exerted on such guides. Advantageously, the guide of the present invention comprises a glide guide, which minimizes static and dynamic friction at these contacts, and is safer and more reliable than prior landing flap guides in substantially all realistic potential environmental conditions. Unlike landing flap guides of the prior art, the present landing flap guide includes glide guides which move in a gliding manner, which reduces the number of moving parts and therefore the number of parts subject to

wear. Thus, the present guide achieves these advantages while at the same time being much less complex than other guides.

Amended claim 1 recites, among other elements, at least one glide guide that includes "at least one glide element as well as an assigned recess into which the glide element extends and in which it is guided in a gliding manner" and that the glide guides "respectively comprise three glide pairs and are designed for at least absorbing forces that essentially act upon the landing flap carrier perpendicularly." The glide pairs of the glide guides are gliding surfaces having low coefficients of static and dynamic friction and being designed to withstand high surface pressure. (See, e.g., ¶ [0017].) Conversely, the apparatus of the '487 patent utilizes wheels and rollers which rotate to allow movement of a carriage to control the position of the landing flap. (See, e.g., '487 patent col.4 ll.35-42 and Figs. 1, 8.) Thus, the '487 patent does not disclose glide pairs having surfaces along which gliding elements glide to achieve a desired landing flap position, distinguishing amended claim 1 over the '487 patent.

Amended claims 4 and 5 each depend from amended claim 1 and are considered patentable over the prior art at least by virtue of their dependence on an allowable claim. Moreover, such claims are also believed to include patentable subject matter beyond that found solely in claim 1. Applicants' failure to independently argue for allowance of any dependent claim should not be taken as an admission otherwise. Additionally, Applicants respectfully submit that claims 6-9 are newly presented and are believed to be allowable over the prior art based at least on the remarks set forth above. Accordingly, Applicants respectfully request allowance of each and every one of claims 1 and 4-9.

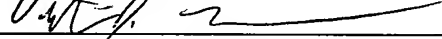
As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone Applicants' agent at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: February 9, 2010

Respectfully submitted,

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